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UNITED STATES DISTRICT COURT

JAN 1 2 2009 (*)

WESTERN DISTRICT OF LOUISIANA

ROBERT H. SHEMWELL, CLERK WESTERN DISTRICT OF LOUISIANA LAFAYETTE, LOUISIANA

LAFAYETTE DIVISION

UNITED STATES OF AMERICA

DOCKET NO. 6:06cr60017

VS.

JUDGE DOHERTY

BRIAN J. HAMILTON

MAGISTRATE JUDGE HILL

JUDGMENT

This matter was referred to United States Magistrate Judge C. Michael Hill for Report and Recommendation. No objections have been filed. The Court concludes that the Report and Recommendation of the magistrate judge is correct and therefore adopts the conclusions set forth therein. Accordingly;

IT IS ORDERED that the instant "Writ of Habeas Corpus" [doc. 33] is DENIED AND DISMISSED WITH PREJUDICE as moot.

THUS DONE AND SIGNED, in chambers, in Lafayette, Louisiana, on this

day of Cormlin 2008.

REBECCA F. DOHERTY

UNITED STATES DISTRICT JUDGE